

Washington State Liquor Control Board
Licensing & Regulation Division

Complaint Taken By: Jeanne Reschan
Date Complaint Made: 02/23/04
Complaint Number: 04-6A-010
Assigned To: Jeanne Reschan

REPORT OF COMPLAINT

PREMISES INVOLVED	Licensee: Young's-Columbia of WA LLC Trade Name: Young's-Columbia Address: 2501 E Valley Rd Renton 98055	License No: 080171 Phone No: (425) 251-9300 License Class: Liq importer, Wine Dist.
COMPLAINANT	Name: Wayne C. Redjou (Smokey's Pizza licensee) Phone No. Day: (360) 696-0456 Is release of name authorized: Yes	
NATURE OF COMPLAINT	Date/Time of Alleged Violation: Feb. 2004 Exclusivity Complaint Alleged Violation: Young's Columbia Dist. refused to sell Charles Shaw wine to Smokey's Pizza retailer because Columbia Dist. said they only sell this wine to Trader Joes retailer. Smokey's Pizza Inc. has 3 retail locations in Vancouver, 360410, 366184, 356682	

Person Involved	Sex	Race	Age	Hgt	Wgt	Hair	Eyes	Involved How
Name:								
Name:								
Name:								
Name:								

AGENT'S SUMMARY/FOLLOW-UP INVESTIGATION

Agents have thirty days from receipt of complaint to investigate and report results to the Agent in Charge

DATE	TIME	
2/23/04	1:00-pm	Redjou reported wanted to purchase Charles Shaw wine, so he contacted Trader Joes' in local Vancouver distributors. They referred him to the Tukwilla (Renton) distributor. He called Young's Columbia (Renton) and asked if he could drive up from Vancouver and buy Charles Shaw wine. They said no, because they only sold that wine to Trader Joe's. Redjou did not recall the name of the person he talked to at that time. I asked Redjou to find out who he talked to at Young's Columbia and ask again if he could purchase the wine. Redjou said he would do so.
2/25/04		I inspected price posting records of Young's Columbia of Vancouver and found they were not posted to sell Charles Shaw brands. I inspected Young's Columbia Renton and found they were posted to sell Charles Shaw brands at \$1.87 per bottle.
3/24/04	3:25-pm	I talked to Redjou. He said about 10-14 days earlier he talked to Bill Schallert of Columbia Distributing about purchasing Charles Shaw wine. Schallert said he does not stock any that is not pre sold to Trader Joes. Redjou asked Schallert point blank; If I came up with my liquor license to your dock would you sell me the Charles Shaw wine? Schallert said he does not stock any that is not pre sold.
4/6/04	12:49-pm	Called Young Columbia VP Sales Bill Ingersoll and Bill Schallert. The office advised both were in Italy and would return 4/9/04.
4/12/04	3:25-pm	Called Bill Schallert. Left message requesting contact.
4/12/04	4:00-pm	Received voice mail message from Schallert.
4/13/04	9:00-am	Received voice mail message from Schallert.

Resp to Costco RFP
1390

DEFENDANT'S EXHIBIT	
CASE NO.	C04-0360P
EXHIBIT NO.	564

		080171 04-6A-101
4/13/04	11:20-am	Called Schallert and told him I had talked to Redjou about not being able to buy Charles Shaw wine. Schallert said the Charles Shaw brand was a brand developed by Trader Joes in CA and Trader Joes wants it sold only to them. Schallert says he knows that WA and OR do not allow exclusivity agreements, but other states do. Schallert said Columbia Dist. brings in only what Trader Joe wants and the only way they are selling it is in pallets. I told Schallert that Redjou said Schallert said he wouldn't sell it to him. Schallert said he told Redjou he didn't want to sell it to him, and there are other wines available. Schallert said they do not and would not deliver product to Vancouver. Schallert said he told Redjou he prefers not to sell it, but said he would sell it to him if he pushed it. Schallert told me he would sell it to Redjou is Redjou came and got it and purchased a pallet, which would be 60 cases. Schallert said if he does sell to Redjou, Trader Joes would pull the wine out of Washington.
April		Randy Reynolds and I subsequently met with Lorraine Lee to discuss our position on the issue. It was determined that Young's Columbia should allow the retailer to purchase product at the warehouse in less than pallet quantities.
5/5/04	4:00-pm	Called Bill Schallert. Left message.
5/6/04	10:30-am	Telephone contact with Bill Schallert. Advised him Columbia must sell to Smokey's Pizza in cases if the retail licensee is willing to come to Columbia's warehouse. Schallert said he only sells to Trader Joe's in pallets and did not want to sell to other retailers in cases. I discussed this with MIW program manager Randy Reynolds, and per our meeting with Lorraine, they must sell in cases.
5/7/04	9:25-am	Called Schallert. Left message requesting contact.
5/7/04	10:10 am	Telephone contact with Schallert. Advised him retailers must be able to purchase in less than pallet quantities. He said he would sell in cases, but not individual bottles. I told him that was acceptable.
5/7/04	10:25-am	Called Wayne Redjou, left message.
5/7/04	10:25-am	Called Redjou and advised him Columbia would sell to him in cases if he came to the warehouse and if he did contact Schallert to set up the purchase. Redjou told me he would take a trip to the warehouse.

☐ Unfounded ☒ Counseling ☐ Undercover Investigation Requested
☐ Verbal Warning ☐ Written Warning ☐ Administrative Violation Notice
Investigation Status ☐ Open ☒ Closed

Complainant Advised of Results Yes Date 5/7/04

If No, Explain Why: _____

SIGNATURE OF AGENT/DATE

SIGNATURE OF SUPERVISOR/DATE

Resp to Costco RFP
1391

TX564-002